Mail Stop PCT

JC10 Rec'd PCT/PTO 02 JUN 2005

#2

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NUMBER 4450-14
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/529,772
INTERNATIONAL APPLICATION NO. PCT/NZ03/000225	INTERNATIONAL FILING DATE 8 October 2003	PRIORITY DATE CLAIMED 8 October 2002

TITLE OF INVENTION

NITROANILINE-BASED ALKYLATING AGENTS AND THEIR USE AS PRODRUGS

APPLICANT(S) FOR DO/EO/US

DENNY et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2).
   a. ☐ is attached hereto (pages specification, claims & abstract (claims), sheets drawings).
   b. ☐ has been communicated by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)
   a. ☐ is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).
   b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
   d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3).
9. a. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4).
   b. ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5).

Items 11 To 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. a. ☐ A FIRST preliminary amendment.
    b. ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information. Identification of Practitioners to be Recognized

BEST AVAILABLE COPY

Mail Stop PCT

U.S. APPLICATION NO. (If known, see 37 C.F.R.	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/529,772	PCT/NZ03/000225	4450-14

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):			
☐ a) Basic national fee ..... $300.00 (1631)/$150.00 (2631)	$	0.00	
☐ b) Examination Fee ..... $200.00 (1633)/$100.00 (2633)	$	0.00	
☐ c) Search Fee ..... $500.00 (1632)/$250.00 (2632)	$	0.00	
TOTAL OF ABOVE CALCULATIONS ..... $1000.00/$500.00	$	0.00	

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is **$250** for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets		Number of each additional 50 or fraction thereof (round **up** to a whole number		RATE		
50 -100	0	/50 =	0.00		**$0.00** (1681) **$0.00** (2681)	$	0.00

Surcharge of **$130.00** (1617)/**$65.00** (2617) for furnishing the oath or declaration later than ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e).							$	0.00
CLAIMS	NUMBER FILED		# EXTRA	RATE				
Total Claims	21	minus 21 =	0 X	$50.00 (1615)/	$25.00 (2615)		$	0.00
Independent Claims	2	minus 3 =	0 X	$200.00 (1614)	$100.00 (2614)		$	0.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				$360.00 (1616)/$180.00 (2616)			$	0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension $120.00 (1251)/$60.00 (2251); Two Month Extensions $450.00 (1252)/$225.00 (2252);Three Month Extensions $1020.00 (1253/$510.00 (2253); Four Month Extensions $1590.00 (1254/$795.00 (2254)							$	0.00
☐ Applicant claims small entity status. See 37 CFR 1.27.								
Processing fee of **$130.00** (1618), for furnishing the English Translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f). +								0.00
TOTAL NATIONAL FEE =							$	**0.00**
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). **$40.00** (8021) per property +							$	40.00
Fee for Petition to Revive Unintentionally Abandoned Application;**$1500.00** (1453) / **$750.00** (2453)							$	0.00
TOTAL FEES ENCLOSED =							$	**40.00**
						Amount to be: refunded	$	
						Charged	$	

a. ☒ A check in the amount of $40.00 to cover the above fees is enclosed.
b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of $_____ to cover the above fees. A duplicate copy of this form is enclosed.
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**
e. ☒ The entire content of International Application No. **PCT/NZ03/000225** and any U.S. and foreign application(s) corresponding thereto, and NZ 521851, referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

Direct all correspondence to:

☒ **Customer Number:** **23117**

Type Customer Number here

Telephone: (703) 816-4000
LCM:lfm

Leonard C. Mitchard
NAME

29,009 **June 2, 2005**
REGISTRATION NUMBER Date

BEST AVAILABLE COPY